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SENSITIVE BUT UNCLASSIFIED  
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SUBJECT: JORDANIAN MEDIA PROFESSIONALS SAY NEW LAW POSITIVE BUT NOT PERFECT

REFS: A) Amman 2255 B) 06 Amman 5945

¶1. (SBU) Summary: Jordan's Parliament passed a new law in April giving citizens the right to access information held by government bodies. The law is currently pending endorsement by King Abdullah. The law's supporters point to the mass enfranchisement of a new democratic right, while detractors point to its shortcomings with respect to international best practices. While Jordan's leaders remain publicly committed to realizing a free media, the new law's significance remains to be determined. End summary.

Background: Contours of the New Law

¶2. (U) As reported Ref A, Jordan's Parliament passed a law in April giving an unprecedented statutory right "to every Jordanian" to access information held by government bodies and some other public institutions. Under its terms, a request for information may be filed by any citizen having "a legitimate interest or a legitimate reason." Responses to requests for information must be provided no later than two weeks after filing. The period for response may be extended another two weeks, or up to 30 days after the date of filing.

¶3. (U) In cases of non-disclosure, citizens may register a complaint with a cabinet-appointed council chaired by the Minister of Culture and comprised of members drawn from five other government agencies, including the Ministries of Justice, Interior, Jordanian Armed Forces, the National Center for Human Rights and the Jordan Information Center. This new council is prohibited from disclosing information deemed discriminatory on the basis of religion, sect, race, color or gender. The new law is silent on the issue of penalties for non-disclosure.

¶4. (U) Article 13 of the new law prohibits citizens from obtaining information containing classified information, including "secrets and protected documents." Separate provisions of Article 13 also rule out other official information including materials under consideration, law enforcement matters, official correspondence, and personal data.

Pros and Cons

¶5. (SBU) Supporters of the new law correctly assert that Jordan has enfranchised its citizens with a new democratic right. While some are guarded in their assessment of the law's long-term impact, most mainstream observers see it as progress. Basem Sakijha, a senior columnist with Jordan's second-largest circulation Arabic daily newspaper Ad-Dustour and the director of Transparency International's Jordan office, told IO the new law does more than validate the existing government treatment of information requests. Sakijha is confident the law is a solid advance in the direction of a more open speech environment, and gives Jordanians a tool for future democratic progress.

¶6. (SBU) Detractors criticize the new law for not being a "freedom

of information act." NOTE: Jordan's law was not drafted with the U.S. model in mind. END NOTE. Nonetheless, some free-speech advocates are troubled that the law does not adopt basic international best practices under which the government bears the burden of proof in restricting access, must identify the specific harm to state interests, and must establish an independent authority to resolve disputes. They predict these shortcomings will mean an impractical and potentially biased application of the new law. On this point, Ayman Safadi, chief editor of Jordan's leading independent Arabic daily newspaper Al-Ghad told IO that the only political standard by which to assess the new law was whether it enhanced the daily practice of professional journalists living in the information age. Echoing this view, Faisal Malkawi, senior political and foreign affairs reporter with Ad-Dustour and vice president of the government-sanctioned Jordan Press Association told IO that the conventional view among media professionals is that the law "is a step in the right direction" but that the new law "makes better headlines than copy."

#### King's Vision

17. (U) In an exclusive interview with the independent, opposition Arabic daily Al-Arab Al-Yawm published May 16, King Abdullah reiterated his long-standing support for the advancement of a free media. In response to a question on the access to information law, he said, "It is the citizen's right as much as it is the right of the journalist... to obtain accurate, verified information aimed at explaining the facts and removing ambiguity, if any, firstly to serve the homeland, and secondly to enhance the ideals of accountability, openness and institutional access in order to achieve a just society."

18. (SBU) Comment: As with Jordan's amended press and publications law, also passed in April, the significance of the new right to

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access information depends on how it is implemented. However, both represent positive achievements in the reform agenda set by the government at the "We are All Jordan" national unity conference in July 2006 (Ref B) and earlier envisioned by the National Agenda process. End comment.

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